

Message Text

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ACTION L-03

INFO OCT-01 EUR-25 NEA-10 ISO-00 SS-20 NSC-07 SP-03 H-03

AID-20 IGA-02 CIAE-00 INR-10 NSAE-00 RSC-01 SAM-01

DRC-01 SSO-00 /107 W

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P 101430Z APR 74

FM AMEMBASSY CAIRO

TO SECSTATE WASHDC PRIORITY 6111

INFO SECDEF WASHDC PRIORITY

AMEMBASSY LONDON PRIORITY

C O N F I D E N T I A L CAIRO 2027

E.O. 11652: GDS

TAGS: PFOR MARR EAID BEXP EG UK

SUBJ: SUEZ CANAL CLEARANCE AGREEMENT

REF: STATE 71363; STATE 71935

1. HAVE CAREFULLY STUDIED DRAFT AGREEMENT CITED FIRST
REFTEL AND NOTE SOFA PROVISIONS HAVE BEEN MADE INTEGRAL
PART THEREOF.

THIS IS IN PRINCIPLE A GOOD TACTIC. I MUST CAUTION HOWEVER
DRAFT AGREEMENT WILL TAKE SOME NEGOTIATION. WITHIN
GOE DRAFT TEXT WILL HAVE TO BE CLEARED BY MINISTRY OF WAR,
MINISTRY OF INTERIOR, MINISTRY OF FINANCE, FOREIGN
MINISTRY, POSSIBLY SCA AND IT IS NOT INCONCEIVABLE THAT
PEOPLES ASSEMBLY MAY HAVE TO APPROVE IT. THERE WILL BE
SOME EGYPTIAN SENSITIVITY TO VARIOUS SOFA PROVISIONS
OF THE DRAFT AGREEMENT. EGYPTIANS ARE SIMPLY NOT USED
TO THIS TYPE OF AGREEMENT AND THEY MAY BE EXPECTED TO
WANT TO STUDY IT CAREFULLY.

2. ASSUMING GREEN LIGHT IS GIVEN SHORTLY TO SEND TEXT TO
FOREIGN MINISTRY, OUR PROBLEM IS FURTHER COMPLICATED BY ABSENCE
OF FAHMY AND HIS PRINCIPAL AIDES. THERE IS PRESENTLY
NO ONE, RPT NO ONE, IN THE FOREIGN MINISTRY AUTHORIZED
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TO CONDUCT EXPEDITIOUSLY THE NECESSARY NEGOTIATIONS TO

CONCLUDE SUCH AN AGREEMENT. AT THE MOMENT, IN FAHMY'S ABSENCE, DEPUTY PRIN HATEM IS ACTING FOREIGN MINISTER. HE KNOWS NOTHING ABOUT DETAILS OF MINE CLEARING OPERATION THAT WE HAVE BEEN DISCUSSING WITH FAHMY, MINISTRY DEFENSE, AND SCA AND HIS INVOLVEMENT WOULD MORE LIKELY INCREASE SLUGGISHNESS OF NEGOTIATING PROCEDURE. IF AT ALL POSSIBLE, WE SHOULD SEEK TO AVOID INVOLVING HATEM IN THIS MATTER. ALTHOUGH NOTE GIVING TEXT WILL HAVE TO BE SENT TO FOREIGN MINISTRY(PRESUMABLY MFA UNDERSECRETARY ABDEL GHAFAR WILL HANDLE IT), WE WILL QUIETLY URGE MINISTRY OF WAR AND SCA, WHO HAVE AN IMMEDIATE AND ACTIVE INTEREST IN NIMBUS STAR, TO PRESS FOREIGN MINISTRY TO EXPEDITE CLEARANCE PROCESS THROUGH EGYPTIAN BUREAUCRACY. HOWEVER, MARSHAL ISMAIL IS HIMSELF A QUIBBLER AND HIS INVOLVEMENT COULD ALSO DELAY NEGOTIATION.

3. I TRUST THAT EXECUTE ORDER WILL NOT RPT NOT, BE CONTINGENT UPON PRIOR CONCLUSION OF THIS AGREEMENT BUT THAT TWO MAY BE CARRIED ON CONCURRENTLY. AS PERTINENT DISCUSSIONS EVOLVE IT MAY ALSO BE NECESSARY TO BREAK OUT SOME ITEMS FOR HANDLING NOT AS A FORMAL AGREEMENT, BUT AS MUTUALLY AGREED UPON CLASSIFIED UNDERSTANDINGS BETWEEN OUR TWO GOVERNMENTS PROVIDED LATTER ARE RECOGNIZED BY GOE AS EQUALLY BINDING. WE SHOULD BEAR IN MIND THAT WE WILL BE BREAKING NEW GROUND WITH EGYPTIANS ON THIS ONE. WHILE WE CLEARLY REQUIRE ADEQUATE "HOLD HARMLESS" ASSURANCE FROM GOE AS WELL AS JURISDICTIONAL SAFEGUARDS FOR OUR PERSONNEL INVOLVED IN NIMBUS STAR, WE SHOULD BE PREPARED TO BE FLEXIBLE ON MODALITIES OF HANDLING THIS.

4. THOUGHT OCCURS TO US THAT THERE MAY BE VALUE IN MENTIONING PROPOSED AGREEMENT TO FAHMY IN NEW YORK WITH REQUEST THAT HE NOTIFY HIS PEOPLE HERE TO EXPEDITE CONCLUSION OF NEEDED MUTUALLY SATISFACTORY ARRANGEMENTS. EILTS

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Message Attributes

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